

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LAVON C. BARRETT,)	
)	
Plaintiff,)	Case No. 1:22-cv-207
v.)	
)	
TRANSUNION, LLC,)	
)	
Defendants.)	

MEMORANDUM ORDER

The within *pro se* civil action was initiated in the Court of Common Pleas of McKean County, Pennsylvania by Plaintiff Lavon C. Barrett against six entities and two “John Doe” and “Jane Doe” Defendants. The matter was removed to this Court on June 29, 2022. ECF No. 1.

Plaintiff’s complaint alleged that the Defendants violated his rights under “the Fair Credit Reporting Act 15 U.S.C 1681h(e),” “Consumer Protection Act 15 U.S.C 1691,” and “Debt Collection Act.” It demanded relief in the form of compensatory and punitive damages as well as the removal of a contested debt from Plaintiff’s credit report. ECF No. 1; ECF No. 1-4, ¶¶ 16, 21-22. The matter was referred to Chief United States Magistrate Judge Richard A. Lanzillo for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Civil Rule 72. At this juncture, the only remaining corporate Defendants are Goldman Sachs Bank, USA (“Goldman Sachs”) and Lending Club Corporation (“Lending Club”).

On December 20, 2023, Chief Judge Lanzillo issued a report and recommendation (“R&R”) in which he opined that the claims against Goldman Sachs and Lending Club should be dismissed without prejudice due to Plaintiff’s failure to effectuate service, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Judge Lanzillo’s R&R discussed in detail Plaintiff’s

continuing failure to submit service papers and his inability to establish good cause for an additional extension of time.

Objections to the R&R were due on or before January 8, 2024. To date, no objections have been filed.

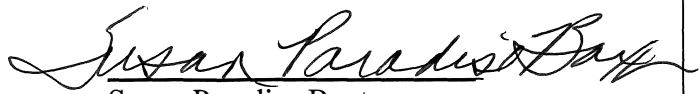
Accordingly, after *de novo* review of the complaint and documents in the case, along with the Chief Magistrate Judge's Report and Recommendation,

IT IS ORDERED, this 18th day of January, 2024, that all claims in this case against Defendants Goldman Sachs Bank, USA and Lending Club Corporation shall be, and hereby are, DISMISSED without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Report and Recommendation of the Chief United States Magistrate Judge issued on December 20, 2023, ECF No. [53], is adopted as the Opinion of this Court.

Inasmuch as the only remaining Defendants in this case are the unidentified "John Doe" and "Jane Doe" individuals, and given that "an action cannot be maintained solely against Doe defendants" *Hindes v. F.D.I.C.*, 137 F.3d 148, 155 (3d Cir. 1998), IT IS FURTHER ORDERED that the claims against the unidentified "John Doe" and "Jane Doe" Defendants shall be, and hereby are, DISMISSED without prejudice.

There being no other matters pending before the Court in the within civil action, the Clerk is directed to mark this case "CLOSED."


Susan Paradise Baxter
United States District Judge